



State Water Resources Control Board



Linda S. Adams
Secretary for
Environmental Protection

Division of Water Rights
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Arnold Schwarzenegger
Governor

ELECTRONIC MAIL

MAY 27 2010

Kate Rees
Cachuma Conservation Release Board
3301 Laurel Canyon Road
Santa Barbara, CA 93105
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SCHEDULE TO COMPLETE THE HEARING TO REVIEW U.S. BUREAU OF RECLAMATION WATER RIGHT PERMITS 11308 AND 11310 (APPLICATIONS 11331 AND 11332) FOR MODIFICATIONS TO PROTECT PUBLIC TRUST VALUES AND DOWNSTREAM WATER RIGHTS, AND TO CONSIDER CHANGE PETITIONS – SANTA YNEZ RIVER IN SANTA BARBARA COUNTY

Dear Ms. Rees:

I would like to thank you for your work to obtain funding from the Cachuma Conservation Release Board (CCRB) to assist the State Water Resources Control Board (State Water Board) in completing the final Environmental Impact Report (EIR) for the Cachuma Project hearing referenced above. With CCRB's help, the State Water Board's environmental consultant, Impact Sciences, will continue to work on preparing a final EIR without delay.

Per your request, I am providing an estimate for the time required to complete the work needed to obtain a decision on the issues. The end product will be a State Water Board decision regarding the change petitions and potential modifications to the water right permits for the Cachuma Project. Once the EIR becomes final, it needs to be entered into the hearing record. Once it is in the record, we will prepare a decision for consideration by the State Water Board.

When the State Water Board releases the final EIR to the public, we will give the parties to the hearing 30-days to raise any objections they may have to entering the EIR in the record. The 30-day objection period is not required by law, but seems reasonable. Admitting the EIR into the record will then take one of two paths. First, if there are no objections, or the objections can be addressed without a hearing, the hearing officer would close the record and direct staff to prepare a decision. Second, if there are objections, the State Water Board would require an additional day of hearing to address them. One day of hearing would likely be sufficient. The State Water Board would provide a 60-day notice for the hearing. After the hearing, the record would be closed and a decision prepared. Since there are two possible outcomes regarding the need for a hearing, there are two possible schedules. The two potential schedules are listed below:

Plan A (No Hearing)

June 1 - Impact Sciences receives direction to continue working to final the EIR.

September 1 - EIR is released to the public and parties are given 30-days to raise any objections to entering it into the hearing record.

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October 1 – Objections to entering final EIR into record are due.

October & November - If there are no objections, staff would prepare a decision at the direction of the hearing officer, brief the Board Members in closed session, and release a draft decision for public review and comment.

Mid November or Early December - State Water Board considers the decision.

Plan B (Hearing Required)

June 1 - Impact Sciences receives direction to continue working to final the EIR.

September 1 - EIR is released to the public and parties are given 30-days to raise any objections to entering it into the hearing record.

October 1 – Objections to entering final EIR into record due.

Early October - If necessary, the State Water Board would notice a public hearing to occur in 60 days (early December).

Early December - Conduct the hearing and close the record.

January & February - Staff would prepare a decision at the direction of the hearing officer, brief the Board Members in closed session, and release a draft decision for public review and comment.

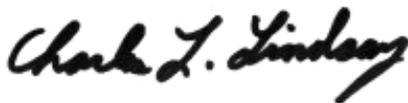
March - State Water Board considers the decision.

In summary, if a hearing is necessary, the Board's decision on the issues will not be made before the end of this calendar year. If there is not a hearing, State Water Board may reach a decision by the end of the year, hopefully in November.

As you may realize, the execution of all the actions to reach a decision are dependent on many people, and could be affected by unforeseen circumstances. But with that caveat, I will carefully monitor this project, take all reasonable actions within my authority to keep it on schedule, and keep you and the State Water Board Executive staff informed of progress and key events. Moreover, if and when I need it, I will request assistance from the appropriate persons.

Thank you again for the assistance you and the CCRB are providing. Please contact me at (916) 341-5358 if you have any questions.

Sincerely,



Charles L. Lindsay, Chief
Hearings Unit

cc: Joe Gibson
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Cachuma Project Hearing Service List

**Cachuma Project Hearing
Phase-2 Hearing
Final Service List**

(Last Updated 07/26/2007)

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<p>U.S. Bureau of Reclamation Ms. Amy Aufdemberg 2800 Cottage Way, Room E-1712 Sacramento, CA 95825 Fax: (916) 978-5694 AMY.AUFDEMBERGE@sol.doi.gov</p>	<p>City of Lompoc Ms. Sandra K. Dunn Somach, Simmons & Dunn 813 Sixth Street, Third Floor Sacramento, CA 95814-2403 sdunn@lawssd.com</p>
<p>Santa Ynez River Water Conservation District, Improvement District No. 1 Mr. Gregory K. Wilkinson Best, Best & Krieger, LLP 3750 University Avenue, Suite 400 Riverside, CA 92501 gkwilkinson@bbklaw.com</p>	<p>Santa Barbara County Parks Ms. Terri Maus-Nisich Director of Parks 610 Mission Canyon Road Santa Barbara, CA 93105 tmaus@co.santa-barbara.ca.us</p>
<p>Santa Ynez River Water Conservation District Mr. Ernest A. Conant Law Offices of Young Wooldridge 1800 – 30th Street, Fourth Floor Bakersfield, CA 93301 econant@youngwooldridge.com</p>	<p>California Trout, Inc. c/o Ms. Karen Kraus Environmental Defense Center 906 Garden Street Santa Barbara, CA 93101 kkraus@edcnet.org</p>
<p>Christopher Keifer NOAA Office of General Counsel Southwest Region 501 West Ocean Blvd., Ste 4470 Long Beach, CA 90802-4213 Christopher.Keifer@noaa.gov</p>	<p>Department of Fish and Game Office of General Counsel Nancee Murray 1416 Ninth Street, 12th Floor Sacramento, CA 95814 Nmurray@dfg.ca.gov</p>